

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BANCORPSOUTH BANK,

Plaintiff(s),

vs.

RWM PROPERTIES II, LLC

and RONALD W. MOORE,

Defendant(s).

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Case No. 4:11CV373 JCH

ORDER

This matter is before the Court on Plaintiff's Motion for Approval of Its Litigation Expenses and Attorneys' Fees Recoverable Under the Terms of Its Promissory Note and Guaranty ("Motion for Expenses"), filed October 28, 2011. (ECF No. 38). The matter is fully briefed and ready for disposition.

The Court finds Plaintiff's Motion for Expenses entirely lacking in detail and specificity so as to enable the Court to award the requested attorneys' fees and litigation expenses. Plaintiff requests an award of \$86,360.50 for "Time Related to Plaintiff's Efforts to Enforce the Promissory Note and Gauranty [sic]." (Motion for Expenses, ECF No. 38, Exhibit A). Plaintiff offers only the hourly rates of three partners, one associate, and two paralegals, along with the total "value of services" of each individual. Plaintiff provides no breakdown of the tasks undertaken by these four attorneys and two paralegals for the Court to use in evaluating Plaintiff's motion. Furthermore, the Court is not convinced the attorneys' fees sought by Plaintiff are limited to those charged to pursue the litigation at hand, as the title of Exhibit A to Plaintiff's Motion for Expenses suggests services provided outside of the prosecution of this lawsuit.

Plaintiff also requests an award of \$1,927.42 for “Litigation Expenses Related to Plaintiff’s Efforts to Enforce the Promissory Note and Gauranty [sic].” Again, Plaintiff provides insufficient information as to how the \$699.67 for “copy charges,” \$851.00 for “professional services,” and \$26.75 for “postage” is related to services provided as part of this litigation. Aside from the \$350.00 expense for “filing fee,” the Court is unable to determine how these charges were incurred during the course of this lawsuit.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Motion for Approval of Its Litigation Expenses and Attorneys’ Fees Recoverable Under the Terms of Its Promissory Note and Guaranty is **GRANTED** to the extent that the Court will order Defendants RWM Properties, II, LLC and Ronald Moore to pay Plaintiff’s filing fee in the amount of \$350.00. Plaintiff’s Motion for Approval of Its Litigation Expenses and Attorneys’ Fees Recoverable Under the Terms of Its Promissory Note and Guaranty is **DENIED** in all other respects.

Dated this 16th day of December, 2011.

/s/Jean C. Hamilton
UNITED STATES DISTRICT JUDGE